

Solid Waste Advisory Meeting  
Tuesday, November 22, 2011  
Draft Meeting Notes

Attending: Councilor Keith Nyhan (Chair); Councilor Michael DelloIacono; Committee Members Melanie Dorion, Greg Banks.

Staff: Office of Management & Budget Director Bob McManus; Director of General Services Chip Chesley; General Services Business Manager Jeff Hoadley, and General Services Solid Waste Manager Pat Winn.

Guests: Charles & Maryanne Latchis

Excused: Councilor Jan McClure; Committee Member Mike Russell.

Secretary: Cheri Forrest

Councilor Nyhan convened the meeting at 4:20. It was determined that there was not a quorum in attendance and any decisions made would have to be held for a meeting when a quorum was present.

**Agenda Item #1** - Request from property owners Charles & Maryanne Latchis to receive a credit on their monthly invoices to the Downtown Solid Waste Removal District. Mr. Latchis was present and requested to record the discussion since his wife was not present. His request was granted.

In summary, Mr. Latchis maintains that he should receive credit on his billing in the amount of \$470.67. His letter of October 25, 2011, outlining the basis for his claim was provided to the committee members. Shortly after he started his wife Maryanne arrived. The points they submit to support their request are as follows:

During the timeframe of August 2010 to October 2011, they claim they did not receive the services for solid waste removal that they were being invoiced. Mr. Latchis stated that there were many occasions that their dumpster located on their properties would go up to two weeks without being emptied and on average his container was serviced only about twice a week. They conclude that this was a huge inconvenience to themselves and their tenants. Mr. Latchis acknowledged his responsibility in not being able to control his tenant parking which resulted in the collection truck not having access to the container, but stated that the 96 gallon totes worked much better than the 6 yard container.

Councilor Nyhan addressed the group to submit any additional information.

A memorandum prepared by Pat Winn, Solid Waste Programs Manager, was provided to the committee and the Latchis.

Mr. Hoadley explained to the committee that there have been some difficulties positioning the 6 yard container on this property. On a map, he showed the dimensions of the Latchis' property parking lot and the location of the 6 yard dumpster. He shared some photographs of the parking lot noting how the congested parking conditions challenge the ability of a solid waste collection truck to safely maneuver among the cars without damaging them. He noted, after the Solid Waste Programs Manager discussed the accessibility issues with the Latchis, it was agreed that the 6 yard container could be serviced with fewer potential conflicts if the container was located across Theater Street in a parking lot on the Sanel Block. This solution worked well until construction began on the new Smile building. Due to the elimination of the parking lot on the Sanel property with the construction of the Smile building, the 6 yard dumpster was moved back onto the Latchis property parking lot. After only a short time, there were issues accessing the dumpster due to parked vehicles. Bestway removed the original 6 yard dumpster and replaced it with six 96 gallon totes after the Solid Waste Programs Manager discussed the matter with the Latchis.. Mr. Hoadley noted that this higher level of service was provided by Bestway at no extra charge to the Downtown Solid Waste Removal District.

Mr. Hoadley then demonstrated the Global Positioning System (GPS) that the City has access to track Bestway's collection vehicles. He showed several reports that the system can generate to show if a vehicle has been in a particular area. The tracking system showed to the best of its' capability that Bestway was in these areas as required.

Councilor Nyhan asked the following questions of the Latchis':

*Were the totes picked up today?* Mr. Latchis said he believed they were.

*During this period did you incur any out of pocket costs?* No

*During this period, did you have to arrange for solid waste disposal services?* No.

Melanie Dorion asked the group:

*Was there any correspondence sent or on file regarding this matter?* No (Pat Winn)

Discussed within the group was the point that these dumpsters are community dumpsters for the benefit of all of the properties located within the Downtown Solid Waste District and not just designated for one tenants sole use. There were other dumpsters in the area that the Latchis tenants could use. Agreed, not as convenient – but available. The Latchis' state they were not aware of other containers.

Councilor Nyhan requests to table this discussion/decision on action until a future meeting where a quorum is present. He concludes this discussion by pointing out:

1. The Downtown Solid Waste Removal District encompasses several blocks in the downtown area, and it has been reviewed several times over the years for redistricting. The Solid Waste Advisory Committee has concluded that this system is the most efficient and effective way to manage solid waste.
2. The service issues seem to be confined to a time period where there were specific unusual circumstances; the Smile building construction. The difficulties were addressed to the best of the City's' and Bestway's ability, and the service seems to be in accordance with the contract with the City.
3. No lost money to the Latchis' – just services allegedly not rendered.

Councilor Nyhan concludes that in as much as he agrees that the Latchis' and their tenants were inconvenienced, he also feels that if any monies were credited they should be divided amongst the whole Downtown Solid Waste Removal District. Again, this is a community service and is available to all residents of the district. The Latchis' are looking at this in a micro sense and the city must look at it in a macro sense.

As the discussion is concluded the Latchis' make the point that we contract Bestway and he feels there should be a better way of tracking if we are receiving the services we pay for. Mrs. Lachtis asserts she can get at least 10 witnesses that the trash was not picked up daily. The Latchis' thank the group for their time and leave.

Councilor Nyhan requests that the following items be addressed in the next meeting that a quorum is reached:

- **Correspondence to document these types of events and action taken.**

Mr. Hoadley offered that, as of the new fiscal year, General Services does have a new system in place where complaints like these will be logged into our work order system. Action taken is recorded with dates.

- **Will totes remain? (Bob McManus)**
- **Discussion as to where to place dumpster if totes are removed.**

**Agenda Item #2** - Request from constituent to allow residents to put their purple bags in barrels.

Mr. Chesley stated that the City asked Bestway to observe a three week period the number of stops that had evidence of animals ripping into bags. The results were of the more than 8,000 stops per week that on average, Bestway noted they have less than 10 stops per week with signs of bags torn by animals. The committee concluded that this is not a big enough problem to warrant a change in the collection process.

**Agenda Item #3** - **Update** on the pricing of small and large purple bags.

Mr. Chesley states that more work will be needed on this one. The long term projections indicate there is a deficit that needs to be addressed. He noted that the small bag in other communities is not ½ the price of the large, it is more like 60-70%.

Councilor Nyhan asks what are the reasons for the poor performance of the Solid Waste Fund ? Mr. Chesley and group offers that there have been other expenses tied to this fund. Specifically, the debt relating to the closure of the Old Turnpike Road Landfill.

#### **Agenda Item #4 – Co-op Matters.**

**A. Allenstown request to leave the Co-op.** According to the Co-op, Mr. Chesley reported that Allenstown stopped bringing their waste to the Penacook Waste to Energy Facility and delivered their waste to a private facility owned by Casella at a lower tipping fee. Mr. Chesley reminded the committee that the Co-op members have an agreement with the Co-op to bring their waste to the Penacook Waste to Energy Facility. When Casella learned of the agreement that Allenstown has with the Co-op they have stopped providing services to Allenstown. Mr. Chesley reminded the committee that the communities of Hopkinton and Webster, who share a transfer station, petitioned to leave the Co-op. That petition required the parties to agree to the reimbursement of assets to the departing communities, both communities had to ratify the terms of leaving the Co-op at their respective Town Meeting, and the Co-op's Joint Board also had to ratify the terms of the communities of leaving the Co-op. Until the terms were ratified by all parties, both Hopkinton and Webster continued to deliver their respective communities' waste to the Penacook Waste to Energy Facility. Representatives from the Co-op have advised the Joint Board that they have not been able to backfill the lost waste volumes from Hopkinton and Webster; hence, the financial terms of Allentown's request are different. Mr. Chesley reported that the Joint Board has appointed a committee of three members to negotiate the terms of Allentown's withdrawal from the Co-op.

Councilor Nyhan – We need to be careful of setting a precedent that you can get out of the Co-op.

**B. Single Stream Recycling Facility.** Mr. Chesley updated the committee on the Co-op's single stream recycling facility. He indicated that the Co-op had received construction bids on October 26<sup>th</sup> for the site and Whitney Road extension. Representatives from the Co-op reported to the Joint Board at their November meeting that the bids were within budget and the Co-op Joint Board approved moving forward with the project. According the Co-op, the project should be completed by January 2013. The Co-op's Joint Board will be meeting at a subsequent date to approve the final financing for the project. Representatives from the Co-op are evaluating bonding a portion of the project due the attractive interest rates.

#### **Agenda Item #5 - Update on educational piece.**

It has been determined that multifamily condominium and apartment complexes serviced by containers recycle at about a 10 % rate while homes serviced by the curbside program recycle at about a 45 % rate. Portions of a recorded educational presentation by Mr. Winn and Ms. Elaine Kellerman provided to residents of Oak Bridge Apartment were shown. Mr. Hoadley plans to put the presentation on a DVD so that other condominiums or apartments could show residents what items can be recycled. The group suggested that this original piece might be used as a learning tool for another filming. It was offered if it should be put on CCTV? Councilor DelloIacono said CCTV may be willing to help them with filming. Councilor Nyhan says they should go ahead and do what needs to be done to create a CCTV ready educational film.

It was discussed incentives for recycling and deterrents to contaminated loads.

Deterrents: Charges being assessed for contaminated loads.

Incentives: Making them more aware of the contaminated load additional costs and the savings they might receive by recycling more. Ms. Dorion suggested moving the dumpsters further apart and incentives of money to community dwellers at years end (Christmas time) for savings due to more effective recycling.

Bob McManus offered that he experienced a definite improvement in recycling when he had done some education and moved some dumpsters in the past.

#### **Agenda Item #6 - Request to change hours of operation at Concord Transfer Station**

Proposed New Hours (trial basis): Monday through Friday, 8:00am to 4:00pm and Saturday, 8:00am to 12:00pm. Total number of operating hours increased to 44 hrs per week. The hours of operation currently are 36 hours. The increase number of hours is at no additional cost to city.

Ms. Dorion, Councilor DelloIacono, and Councilor Nyhan – have issues with decreased Saturday hours. Councilor DelloIacono and Councilor Nyhan offered that no decision could be made without a quorum so table this discussion for a future meeting.

#### **ACTION ITEMS:**

1. Can we meet in December with a quorum to further discuss and decide on the Latchis and transfer station hours issues?
2. Two vacancies on committee need to be filled.

Councilor DelloIacono motions to adjourn the meeting @ 5:45 PM.